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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,184	03/15/2002	Ralf Duckeck	1949	1706

7590 12/10/2003
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

GIBSON, ERIC M

ART UNIT PAPER NUMBER

3661

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/018,184

Applicant(s)

DUCKECK, RALF

Examiner

Eric M Gibson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The proposed drawing corrections were received on 11/6/2003. The drawing corrections are approved.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10, 11 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Koizumi et al. (US006151552A).

- a. As per claim 10, Koizumi teaches a method for controlling the scale of a map detail shown on a display unit of a navigation device, including setting the scale as a function of the distance of the current vehicle position from a next decision point located between the position and a destination (column 18, lines 12-14), setting the scale in such a way that the current position and next decision point are shown on the display (column 25, lines 55-57), and displaying the route in the largest possible scale for the display unit (column 18, lines 35-39).

- b. As per claim 11, Koizumi teaches setting the scale such that a predetermined surrounding area can be shown on the display (column 23, lines 2-8).

c. As per claim 15, Koizumi teaches a navigation device including a display unit for showing a map detail (14, figure 1), a control unit for setting the scale of the map detail display (10, figure 1), wherein the control unit sets the scale of the map display as a function of the distance of a current vehicle position from a next decision point (column 18, lines 12-14), setting the scale in such a way that the current position and next decision point are shown on the display (column 25, lines 55-57), and displaying the route in the largest possible scale for the display unit (column 18, lines 35-39).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koizumi in view of Takanabe et al. (US004675676A).

a. As per claim 12, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach that the scale is inversely proportional to the distance. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is inversely proportional the distance (see table 1, column 14), in order to provide an increasingly larger scale as the vehicle approaches the point. It

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would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be inversely proportional the distance in the system of Koizumi, in order to provide an increasingly larger scale as the vehicle approaches the point, as taught by Takanabe.

b. As per claim 13, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach that the scale is increased in preset stages as the vehicle approaches the point. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is increased in preset stages (see table 1, column 14), in order to provide an increasingly larger scale as the vehicle approaches the point. It would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be increased in preset stages in the system of Koizumi, in order to provide an increasingly larger scale as the vehicle approaches the point, as taught by Takanabe.

c. As per claim 14, Koizumi teaches the invention as explained in the rejection of claim 10. Koizumi does not teach changing the scale when the current vehicle position has reached a decision point. Takanabe teaches a method of controlling the scale of a map detail shown on a display unit of a navigation device including setting the scale of map detail displayed as a function of a distance from a decision point on a calculated driving route, wherein the scale is changed when the current vehicle position has reached a decision point (column 15, lines 37-55), in order

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to show greater details as the vehicle approaches a destination. It would have been obvious to one of ordinary skill in the art, at the time of invention, for the scale to be changed when the current vehicle position has reached a decision point in the system of Koizumi, in order to show greater details as the vehicle approaches a destination, as taught by Takanabe.

Response to Arguments

4. Applicant's arguments with respect to claims 10-15 have been considered but are moot in view of the new ground(s) of rejection. Specifically, the newly cited reference, Koizumi, is relied upon for the teaching of a decision point (guidance object intersection) located between the current vehicle position and the destination that is shown on a display at the largest possible scale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kusama et al. (US005893045A) teaches a navigation apparatus with a relationship between guide target intersections. Izawa (US005471205A) teaches a map displaying method.


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Gibson whose telephone number is (703) 306-4545. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (703) 308-3873. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


MICHAEL V. ZANELLI
PRIMARY EXAMINER

EMG